

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Frank Dixon, Jr.,)	
)	Civil Action No. 6:10-364-RBH-KFM
Plaintiff,)	
)	
vs.)	<u>REPORT OF MAGISTRATE JUDGE</u>
)	
Chief Willie Bamberg, et al.,)	
)	
Defendants.)	
_____)	

The plaintiff brought this action seeking relief pursuant to Title 42, United States Code, Section 1983. Pursuant to the provisions of Title 28, United States Code, Section 636(b)(1)(B), and Local Rule 73.02(B)(2)(d), D.S.C., this magistrate judge is authorized to review all pretrial matters in cases filed under Title 42, United States Code, Section 1983, and submit findings and recommendations to the District Court.

On August 10, 2010, a document notifying the plaintiff of the court's new mailing address was placed in the mail to the plaintiff at his last known address, the Orangeburg-Calhoun Regional Detention Center, P. O. Box 9000, Orangeburg, SC 29116. On August 16, 2010, the envelope was returned to the court indicating that the plaintiff had been released from the Detention Center. Further investigation by the Clerk of Court confirmed that the plaintiff had been released and had left no forwarding address.

The record reveals that the plaintiff was advised by order dated February 22, 2010, of his responsibility to notify the court *in writing* if his address changed.

Based on the foregoing, it appears the plaintiff no longer wishes to pursue this action. Accordingly, it is recommended that this action be dismissed for lack of prosecution.

August 17, 2010
Greenville, South Carolina

s/Kevin F. McDonald
United States Magistrate Judge